

11-08-00

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UTILITY PATENT APPLICATION TRANSMITTAL

(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
6006-015Total Pages in this Submission
8958940/60
109280107685**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

ENDOLUMINAL STENT, SELF-SUPPORTING ENDOLUMINAL GRAFT AND METHODS OF MAKING SAME

and invented by:

Julio C. Palmaz, Steven R. Bailey, Christopher T. Boyle and Christopher E. Banas

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 34 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

11/07/00

PC912 U.S. PTO

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal b. ☒ Informal Number of Sheets 14
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL 412 126 605 US

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: ONE
17. ☒ Additional Enclosures (please identify below):

Certificate of Express Mailing (1 page)
Postcard acknowledgement

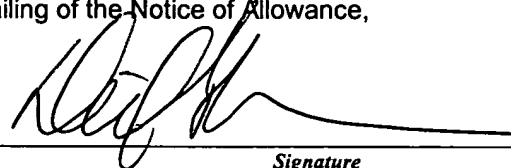
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	28	- 20 =	8	x \$9.00	\$72.00
Indep. Claims	4	- 3 =	1	x \$40.00	\$40.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$467.00

- ☒ A check in the amount of **\$467.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **18-2000** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: November 7, 2000



Signature

David G. Rosenbaum, Reg. No. 31,872
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Chicago, IL 60611
(312) 397-0303 Telephone
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cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT: Palmaz, et al.

SERIAL NO.:

FILING DATE: Herewith


TITLE: ENDOLUMINAL STENT, SELF-SUPPORTING ENDOLUMINAL
GRAFT AND METHODS OF MAKING SAME

Assist. Commissioner for Patents
BOX PATENT APPLICATION - FEES
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10

I hereby certify that the attached UTILITY PATENT APPLICATION, TRANSMITTAL, DRAWINGS AND ASSOCIATED PAPERS AND FEES are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Mailing Label No. EL 412 126 605 US on the date indicated below and is addressed to the Assists. Commissioner of Patents, BOX PATENT APPLICATION - FEES, Washington, D.C. 20231.

Lori Dunham
(Person Signing Certificate)


(Signature)

November 7, 2000
(Date of Signature)

09707685-110700

Applicant or Patentee: Julio R. Palmaz, et al.

Docket No.: 6006-015

Serial or Patent No.:

Filed or Issued: Herewith

For: ENDOLUMINAL STENT, SELF-SUPPORTING ENDOLUMINAL GRAFT AND METHODS OF MAKING SAME

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 C.F.R. § 1.9(F)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☒ the owner of the small business concern identified below;
☐ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN Advanced Bio Prosthetic Surfaces, Ltd.

ADDRESS OF CONCERN 4778 Research Drive, San Antonio, Texas 78240

I hereby declare that the above-identified small business concern qualifies as a small business concern defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concern are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention entitled: _____ by Inventor(s) Julio C. Palmaz, Christopher E. Banas, Steven R. Bailey, and Christopher T. Boyle.

- ☒ the specification filed herewith
☐ application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Christopher E. Banas

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: 4778 Research Drive, San Antonio, Texas 78240

SIGNATURE _____ Date: _____